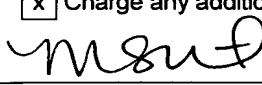




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AMENDMENT TRANSMITTAL LETTER				Docket No. H6808.0040/P040	
Application No. 10/779,749-Conf. #2045		Filing Date February 18, 2004		Examiner Phillip A. Johnston	
				Art Unit 2881	
Applicant(s): Yoshihiro Kimura et al.					
Invention: METHOD OF DETERMINING THE CONCAVITY AND CONVEXITY ON SAMPLE SURFACE, AND CHARGED PARTICLE BEAM APPARATUS					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	11	- 20 =		x	
Independent Claims	4	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1073</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
				Dated: <u>December 2, 2005</u>	
Mark J. Thronson Attorney Reg. No.: 33,082  DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street NW Washington, DC 20037-1526 (202) 775-4742					



Docket No.: H6808.0040/P040  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Yoshihiro Kimura et al.

Application No.: 10/779,749

Confirmation No.: 2045

Filed: February 18, 2004

Art Unit: 2881

For: METHOD OF DETERMINING THE  
CONCAVITY AND CONVEXITY ON  
SAMPLE SURFACE, AND CHARGED  
PARTICLE BEAM APPARATUS

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Examiner: Phillip A. Johnston

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated June 2, 2005, please amend the  
above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which  
begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.